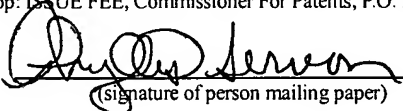


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Leitch et al. Docket No.: M02A232
Serial No: 10/671,163 Art Unit: 1724
Filed: September 25, 2003
For: CO₂ RECOVERY PROCESS FOR SUPERCRITICAL EXTRACTION

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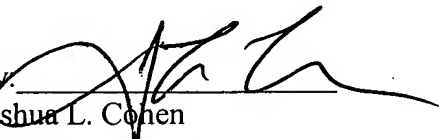
Sir:

COMMENTS ON STATEMENT OF REASON FOR ALLOWANCE (37 C.F.R. § 1.104 (e))

According to 37 C.F.R. § 1.104 (e), if the Examiner believes the record of prosecution as a whole does not make clear his or her reasons for allowing a claim or claims, the Examiner may set forth such reasoning (emphasis added). It respectfully is submitted that the record as a whole in the present case speaks for itself and requires no issuance of the Examiner's Reason for Allowance, and accordingly any reason for allowance promulgated by the Examiner is not to impart any negative inferences or otherwise limit the scope of the allowed claims.

MPEP 1302.14 states in part that the setting forth of reasons for allowance is not mandatory on the Examiner's part. This section further notes that in general, the Examiner's actions and the applicants replies make evident the Reasons for Allowance, satisfying "the record as a whole" proviso of the Rule. It respectfully is submitted that such is the case with the present application, particularly as the requirements of 37 C.F.R. 1.111 (b) and (c) have been fully compiled with; thereby making the reasons for allowance evident from the official record.

Respectfully submitted,

By: 
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Date: July 7, 2005

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